HONOURABLE SHRI JUSTIE R.SUBHASH REDDY

WRIT PETITION No. 11729 OF 2006

Dated 18th July, 2006

Between:
S.Ravi Sankar S/o late S.Nagaiah

… Petitioner

AND

Sri Venkateswara University, represented
by its Registrar, Holding Office at University
Administrative Building, Tirupati.

… Respondent.

ORDER:

This writ petition is filed seeking a writ of mandamus to declare the inaction of the respondent in not considering representation of the petitioner dated 6.6.2006 for payment of salary up to 20.3.2006 and also for payment of subsistence allowance as per the applicable rules framed by the University as violative of Article 21 of the Constitution of India and the Principles of Natural Justice.

The petitioner was placed under suspension by order dated 20.3.2006 on the allegation of insubordination. The grievance of the petitioner is that though he was on duty up to 20.3.2006 and in spite of raising bill for salary, he was not paid his salary. However, having regard to his further grievance that he is not being paid subsistence allowance as per the applicable rules, this court by order dated 15.6.2006, directed the respondents to consider the representation filed by the petitioner and pass appropriate orders.

The learned counsel for the petitioner has produced a copy of order dated 27.6.2006 issued by the Registrar of Sri Venkateswara University, Tirupati sanctioning subsistence allowance as per the applicable rules for the first three months equivalent to half pay and for the next period 75% of the pay plus full D.A. on the subsistence pay plus full HRA on subsistence pay.

With regard to allegation of the petitioner that he was not paid salary up to 20.3.2006, the same is a matter, which has to be verified by the respondent. But, in view of the orders dated 27.6.2006 in which orders were passed for payment of subsistence allowance subject to production of required documents, I dispose of the writ petition directing the respondent to pay the salary, which is

due to the petitioner, for the period he has worked prior to the order of suspension. The respondent shall take further steps for payment of subsistence allowance as per proceedings dated 27.6.2006 and continue to pay the same so long as suspension continues. Further, the respondent is directed to complete the enquiry and pass appropriate orders, as expeditiously as possible, and, preferably, within a period of two months from today.

The writ petition is disposed of accordingly. No costs.

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18.7.2006 **(R.SUBHASH REDDY, J.)**

VR

NOTE:
Issue cc in two days
(BO)
VR.